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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 15, 2003

Michael A. Avella, Treasurer
New York Republican Federal
Campaign Committee
315 State Street
Albany, NY 12210

Response Due Date:
November 14, 2003

Identification Number: C00055582

Reference: February Monthly Report (1/01/03-1/31/03)

Dear Mr. Avella:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B supporting Line 22 discloses \$155,000 in transfers to what appears to be a non-federal account of your committee. Please provide further clarification regarding this transfer to your non-federal account.

You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. If any of the disbursements disclosed on Schedule B supporting Line 22 were made to influence the election or defeat of specific federal candidates, the disbursements should be allocated accordingly and disclosed as either in-kind contributions on Schedule B supporting Line 23, independent expenditures on Schedule E supporting Line 24, or as coordinated expenditures on Schedule F supporting Line 25. 11 CFR §§104.3(b)(3) and 106.1 In addition, if your non-federal account has paid any expenditures which should have been allocated, you are advised to correct any non-compliance with 11 CFR §106.6 and 106.7 and establish procedures to insure future compliance with allocation regulations.

-Schedule H4 supporting Line 21(a) of your report discloses a payment(s) totaling \$73,974 for salary and/or wages. Please be advised that pursuant to 11 CFR §300.33(c)(2), salaries and wages for employees who spend more

than 25% of their compensated time in a given month on Federal election activity or activities in connection with a Federal election must not be allocated between or among federal and non-federal accounts. Rather, only federal funds may be used. Any reimbursement from your committee's non-federal account for this payment is not permissible and must be returned.

Although the Commission may take further legal action regarding this improper allocation activity, your prompt action will be taken into consideration.

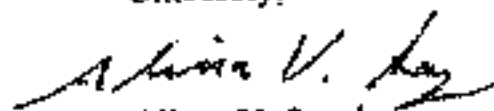
-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "see below administration." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule H4 of your report discloses a payment(s) to Cathy Blaney & Associates, which is categorized as an Administrative/Generic Voter Drive expense; however, the purpose of disbursement(s) disclosed is "fundraising consulting administration." Please be advised that payments made for your committee's fundraising activities should be allocated according to the funds received method and the ratio derived from a Schedule H2. Please provide clarification regarding this apparent discrepancy.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1153.

Sincerely,



Alissa V. Sagri
Campaign Finance Analyst
Reports Analysis Division

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